

AF/1638



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re ~~Patent~~ Application of

Atty Dkt.: 3914-3

C# M#

IUCHI et al

Group Art Unit: 1638

Serial No. 09/758,269

Examiner: Cynthia Collins

Filed: January 12, 2001

Date: November 21, 2003

Title: TRANSGENIC PLANTS CARRYING NEOXANTHIN CLEAVAGE ENZYME GENE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

☐ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Appeals from the decision dated  
May 23, 2003 of the Examiner finally  
rejecting claims 1 and 5-22 (\$ 330.00 )

\$ 330.00

☐ An appeal **BRIEF** is attached in triplicate in the pending appeal of the  
above-identified application (\$ 330.00)

\$

☒ Credit for fees paid in prior appeal without decision on merits

-\$ ( )

☐ A reply brief is attached in triplicate under Rule 193(b)

(no fee)

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months; \$1480.00/4 months)

\$ 950.00

**SUBTOTAL** \$ 1280.00

☐ Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract

-\$ ( )

☐ "Small entity" statement attached.

**SUBTOTAL** \$ 1280.00

Less one month extension previously paid on September 23, 2003

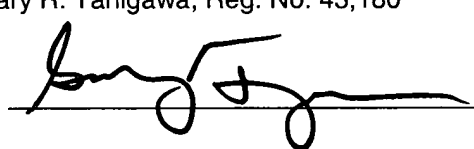
-\$ ( 110.00)

**TOTAL FEE ENCLOSED** \$ 1170.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or  
asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this  
firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: 

11/24/2003 EFLORES 00000050 09758269

01 FC:1402 330.00 DP  
02 FC:1253 840.00 DP